



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

10/728,334

12/04/2003

Hiroyuki Sumi

AD6932USNA

7389

23906

7590

05/11/2009

E I DU PONT DE NEMOURS AND COMPANY

LEGAL PATENT RECORDS CENTER

BARLEY MILL PLAZA 25/1122B

4417 LANCASTER PIKE

WILMINGTON, DE 19805

EXAMINER

SASTRI, SATYA B

ART UNIT

PAPER NUMBER

1796

NOTIFICATION DATE

DELIVERY MODE

05/11/2009

ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

PTO-Legal.PRC@usa.dupont.com

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte HIROYUKI SUMI,
AND TOSHIKAZU KOBAYASHI

Application 10/728,334
Technology Center 1796

Mailed: May 8, 2009

Before DELORES LOWE, *Review Team Paralegal*
LOWE, *Review Team Paralegal*.

ORDER RETURNING UNDOCKETED APPEAL

This application was received electronically at the Board of Patent Appeals and Interferences on June 10, 2008. A review of the application has revealed that the application is not ready for docketing as an appeal.

Accordingly, the application is herewith being returned to the examiner. The matter requiring attention prior to docketing is identified below.

On July 30, 2007, appellants filed an Appeal Brief. A review of the file reveals that claim 13 in the appendix of the Appeal Brief is not consistent as amended in the Amendment filed on May 4, 2006. The Appeal Brief Appendix of Claims (claim 13, page 15 of the appendix, line 3 reads: “**poly(propylene terephthalate) (PPT)**, . . .” However, the Amendment dated May 4, 2006 (claim 13, page 4, lines 3-4) reads: “**poly(propylene terephthalate) (PET)**,” Appropriate correction required.

Accordingly, it is

ORDERED that the application is returned to the Examiner for:

- 1) correction of the Appendix; and
- 2) for such further action as may be appropriate.

If there are any questions pertaining to this order, please contact the Board of Patent Appeals and Interferences at 571-272-9797.

/DAL/

E I DU PONT DE NEMOURS AND
COMPANY
LEGAL PATENT RECORDS CENTER
BARLEY MILL PLAZA 25/1122B
4417 LANCASTER PIKE
WILMINGTON, DE 19805